761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
A Tradition of Service

DATE: December 6, 2013
FILE NO:

OFFICE CORRESPONDENCE

FROM: BOBBY D. DENHAM, COMMANDER
NORTH PATROL DIVISION

TO: ALICIA E. AULT, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:

Case Number:	FO2326774
Incident:	Significant Force
Incident Date:	December 31, 2012
Unit:	Lost Hills Station
Suspect:	Melissa Kalahikiola King, FW/07-27-92
Involved Employees:	Deputy [redacted], #[redacted] Deputy [redacted], #[redacted] Deputy James Stafford, #[redacted]
EFRC Date:	December 5, 2013

The Executive Force Review Committee (EFRC) consisting of Commanders Bobby Denham, Patrick Maxwell, and Ralph Webb met and reviewed the above case.

FORCE POLICY RELATING TO INCIDENT:

Law enforcement officers are entitled to use the amount of force that is reasonable and necessary to make an arrest, prevent an escape, or overcome resistance.

FINDINGS:

A deputy assigned to Lost Hills Station was driving his marked patrol car when he observed a black Range Rover with a defective/broken driver's side tail light, and displayed expired registration on the license plate.

The deputy stopped the vehicle and contacted the driver and sole passenger (Suspect King) of the vehicle. During the traffic stop, the deputy asked the driver for his driver's license and proof of insurance. During this conversation, the deputy smelled the odor of marijuana inside the passenger compartment of the vehicle and saw an open beer bottle in the center console. The deputy escorted the driver to the rear of his patrol car where he searched him and recovered an exposed pocket knife and found an additional knife inside the driver's right front pants pocket. The deputy examined the knife and discovered it to be a three and one half inch switch blade type knife. The deputy continued his search of the driver and recovered a three inch glass methamphetamine pipe from his left coat pocket. The deputy arrested the driver for narcotics and weapons violations. After arresting the driver, the deputy located and recovered a bag containing methamphetamine from the driver's right sock.

After placing the driver in the rear seat of his patrol car, the deputy requested the aid of a female deputy so he could continue his narcotics investigation. The deputy re-approached the Range Rover from the driver's side, and spoke with Suspect King who was seated in the front passenger seat. The deputy spoke to the suspect through the open front driver's side window and explained she was detained so he could continue his investigation. The suspect was holding her purse on her lap. The deputy asked the suspect if there were any illegal items in her purse. The suspect told the deputy she did not know the driver and just wanted to leave.

The deputy continued to speak with the suspect while waiting for the arrival of a female deputy. The deputy became concerned when the suspect quit responding to his questions and believed she may have been under the influence of narcotics or alcohol. The suspect began opening the passenger door while the deputy ordered her to remain inside the vehicle. The suspect ignored the deputy's orders and exited the Range Rover. Believing the suspect might be armed, the deputy met the suspect on the passenger side of the vehicle and ordered her to stop and show him her hands. The deputy tried to physically detain the suspect and control her until assisting deputies arrived. The suspect pushed the deputy and began striking him upon the head and neck.

The deputy requested assistance from other Lost Hills Station patrol units and continued to struggle with the suspect. The deputy ordered the suspect to stop fighting several times, but she refused. The deputy could not control the suspect and feared for his safety. Rather than flee, the suspect continued to assault the deputy. The deputy deployed his "Taser" and administered it against the suspect. The application of the "Taser" caused the suspect to lose her balance and fall face first onto the asphalt.

After falling to the street, the suspect continued to struggle against the deputy. The deputy administered the "Taser" again as assisting units arrived. The suspect was eventually handcuffed by the deputies.

Paramedics arrived and treated the suspect for facial injuries and embedded "Taser" probes. The suspect was transported to Los Robles Hospital where she was diagnosed with a fractured mandible and treated for her injuries. The suspect was released from the hospital and booked at the Lost Hills Sheriff's Station.

The EFRC determined the force used against the suspect was within Department policy. The EFRC also determined the tactics used were within Department policy.

RECOMMENDATIONS:

The EFRC recommended Deputy James Stafford #[redacted] attend the eight-hour Tactics and Survival (TAS-I) training. The EFRC also recommended Sergeant [redacted] attend the eight-hour Force Investigation Interviewing class taught by the Field Operations Force Training staff.

Lastly, the EFRC recommended the unit commander, Captain Patrick S. Davoren, conduct a tactical debriefing regarding the unique circumstances of this incident.

BDD:JER:jer

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Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 912-07640-2221-145	Date: 12/31/12	Time: 0229 Hours	
Location: Kanan Rd south of Thousand Oaks Blvd.	City or Station: Agoura Hills		
Bureau/Station/Facility: Lost Hills Station	Admin. Investigation: YES ☐ NO ☒		
Type of Force: Significant Force / Taser Application/ Control Holds			
Deputy Injury : YES ☐ NO ☒	Suspect Injury YES ☒ NO ☐		
☐ Call	☒ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ☒ NO ☐	Person Notified: Lt. Patrick Libertone	Emp: [redacted]	IAB Roll Out: YES ☒ NO ☐

Involved Employee

E1

Employee #: [redacted]	Last Name: Stafford	First Name: James	Middle Name: A.
Sex: ☒ Male ☐ Female	Race: W	Unit of Assignment: Lost Hills Station	Work Assignment (Unit #, Module, etc.): 226
Shift: ☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 510 / Weight: 180
☐ Injured ☐ Treated ☐ Admitted Hospital:	Coroner Case #:	Directed Force ☐	Significant Force ☒

E2

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle Name: NMN
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: Lost Hills Station	Work Assignment (Unit #, Module, etc.): 226A
Shift: ☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 507 / Weight: 220
☐ Injured ☐ Treated ☐ Admitted Hospital:	Coroner Case #:	Directed Force ☐	Significant Force ☐

E3

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle Name: [redacted]
Sex: ☒ Male ☐ Female	Race: W	Unit of Assignment: Lost Hills Station	Work Assignment (Unit #, Module, etc.): 222
Shift: ☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 511 / Weight: 185
☐ Injured ☐ Treated ☐ Admitted Hospital:	Coroner Case #:	Directed Force ☐	Significant Force ☐

☐ Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	McDonald	Edward	G.	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Watters	Chadney	B.

Watch Commander (**Print Name**) | Watch Commander's **Signature**: | Emp #: | Date

Romeo Ingreso [redacted]

Supervisor Completing Form: (**Print Name**) | Emp #: | Copy Provided to Employee by: | Emp #:

Unit Commander (**Print Name**) | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only

FO#

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
SUSPECT INFORMATION
9 1 2 - 0 7 6 4 0 - 2 2 2 1 - 1 4 5

Suspect Information

S 1

Last Name: King	First Name: Melissa	Middle Name: Kalahikiola
AKA Last Name:	First Name:	Middle Name:

Sex: ☐ Male ☒ Female | Race: W | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: None | Home Phone: [redacted] | Age: 20 | Height: 508 | D.O.B. 07-27-92 | Weight: 115 | Armed? ☐

Booking #: 3415391 | Primary Charge Code: 243(b) PC | Secondary Charge Code: 472 PC | Criminal History [redacted]

EMT in attendance? ☒ YES ☐ NO Name: L.A.County Fire Station Unit: Station #89 Phone #: 818-597-2232

Hospital Admission? ☐ Rec'd Treatment At: Los Robles Hospital Coroner Case #: Mental History ☐

By Doctor: Raven Ramin Address: 215 W. Janss Rd., Thousand Oaks Phone #: (805) 370-4435

Under Influence: ☐ YES ☒ NO Substance: Mental Illness ☐

Suspect Interview

Date: 12-31-12 | Time: 0425 | ☐ Audiotape: ☒ Videotape: ☒ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name:	First Name:	Middle Name:
AKA Last Name:	First Name:	Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐

By Doctor: Address: Phone #:

Under Influence: ☐ YES ☐ NO Substance: Mental Illness: ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name:	First Name:	Middle Name:
AKA Last Name:	First Name:	Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐

By Doctor: Address: Phone #:

Under Influence: ☐ YES ☐ NO Substance: Mental Illness ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
912-07640-2221-145

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Torrontegui	Rodolfo	Fimbres

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.	Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	23	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

☐ Additional Witness

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Stafford, James	E#1	King, Melissa	S#1	CT	NN	AR
Stafford, James	E#1	King, Melissa	S#1	TR	FR	FA
[redacted]	E#2	King, Melissa	S#1	RH	NN	AR
[redacted]	E#3	King, Melissa	S#1	CT	NN	HE
King, Melissa	S#1	Stafford, James	E#1	PH	NN	FA
King, Melissa	S#1	Stafford, James	E#1	PH	NN	CH

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY SIGNIFICANT USE OF FORCE (FRACTURED MANDIBLE)

UNIT:	Lost Hills Station
DATE:	Monday, December 31, 2012
TIME:	0220 hours
LOCATION:	5600 Kanan Road, Agoura Hills CA. 91301-0022
URN#:	912-07640-2221-145
IAB#:	FO2326774

NATURE OF INCIDENT:

On-call Internal Affairs Bureau personnel assumed responsibility for completion of a force investigation after Suspect Melissa King sustained a fractured mandible (jaw) during an arrest and use of force by a Lost Hills Station patrol deputy.

SYNOPSIS OF INCIDENT:

On December 31, 2012, at 0220 hours Deputy James Stafford was assigned to Lost Hills Station patrol unit #226 during the Early Morning shift. While Deputy Stafford was driving his marked patrol car north bound on Kanan Road approaching Thousand Oaks Boulevard in the city of Agoura Hills, he observed a black Range Rover (CA. License #[redacted]. The Range Rover's driver's side tail light was inoperable and the red portion of the tail light was missing. The vehicle's license plate registration was also displayed as expired.

Deputy Stafford stopped the vehicle and contacted [redacted] who was driving the vehicle. Deputy Stafford also contacted Suspect King who was the front and sole passenger in the vehicle. During the traffic stop Deputy Stafford asked [redacted] for his driver's license and proof of insurance. During this conversation Deputy Stafford smelled the odor of marijuana inside the passenger compartment of the vehicle and saw an open beer bottle in the center console. Deputy Stafford escorted [redacted] to the rear of his patrol car where he searched him. Deputy Stafford recovered an exposed pocket knife from [redacted] and found an additional knife inside his right front pants pocket. Deputy Stafford examined the knife and discovered it to be a three and one half inch switch blade type knife. Deputy Stafford continued his search of [redacted] and recovered a three inch glass methamphetamine pipe from his left coat pocket. Deputy Stafford arrested [redacted] for 11364 H&S and 21510(b) P.C. After arresting [redacted] Deputy Stafford located and recovered a bag containing methamphetamine from his right sock.

After placing [redacted] in the rear seat of his patrol car, Deputy Stafford requested the aid of a female deputy so he could continue his narcotics investigation. Deputy Stafford re- approached the Range Rover from the driver's side, and spoke with Suspect King who was still seated in the front passenger seat. Deputy Stafford spoke to Suspect King through the open front driver's side window. Deputy Stafford explained to Suspect King she was detained so he could continue his investigation. Suspect King was holding her purse on her lap. Deputy Stafford asked Suspect King if there were any illegal items in her purse. Suspect King told Deputy Stafford she did not know the driver and just wanted to leave.

Deputy Stafford continued to speak with Suspect King while waiting for the arrival of a female deputy. Deputy Stafford became concerned when Suspect King quit responding to his questions and believed she may have been under the influence of narcotics or alcohol. Suspect King began opening the passenger door while Deputy Stafford ordered her to remain inside the vehicle. Suspect King ignored Deputy Stafford's orders and exited the Range Rover. Believing Suspect King may be armed, Deputy Stafford met Suspect King on the passenger side of the vehicle and ordered her to stop and show him her hands. Deputy Stafford tried to physically detain Suspect King and control her until assisting deputies arrived. Suspect King pushed Deputy Stafford and began striking him upon the head and neck. Deputy Stafford requested assistance from other Lost Hills Station patrol units and continued to struggle with Melissa King. Deputy Stafford ordered Suspect King to stop fighting several times and she refused. Deputy Stafford could not control Suspect King and feared for his safety. Rather than flee, Suspect King continued to assault Deputy Stafford. Deputy Stafford deployed a "Taser" and administered it against Suspect King. The application of the "Taser" caused Suspect King to lose her balance and fall face first onto the asphalt.

After falling to the street Suspect King continued to struggle against Deputy Stafford. Deputy Stafford administered the "Taser" again as assisting units arrived. Suspect King was eventually handcuffed by Deputy Stafford and assisting deputies. Deputy Stafford requested paramedics who arrived and treated Suspect King for facial injuries and embedded "Taser" probes. Suspect King was transported to Los Robles Hospital where she was seen and treated by Doctor Ramin Raven. Suspect King was diagnosed with a fractured mandible. She was treated for her injuries, released from the hospital and booked at the Lost Hills Sheriff Station.

During the arrest Deputy Stafford discovered a fraudulent California State identification card bearing Suspect King's image, personal information and a forged California State seal. Suspect King was arrested and booked for 243(b) P.C. and 472 P.C. [redacted] was arrested and booked for 11377(a) H&S, 11364H&S and 21510(b) P.C.

INVOLVED PERSONNEL:

Stafford, James - Deputy, #[redacted]
Lost Hills Station
Unit #226
North Patrol Division

Date of Employment: 10-33-2000
Date Assigned to LHS: 12-18-2011
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] - Deputy, #[redacted]
Lost Hills Station
Unit #226A
North Patrol Division

Date of Employment: 06-22-2005
Date Assigned to LHS: 12-05-2010
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] - Deputy, #[redacted]
Lost Hills Station
Unit #222
North patrol Division

Date of Employment: 01-25-2006
Date Assigned to LHS: 08-26-2007
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

DEPUTY WITNESSES:

Torrontegui, Rodolfo - Deputy, #[redacted]
Lost Hills Station
Unit #222A
North Patrol Division

Date of Employment: 09-14-2005
Date Assigned to LHS: 04-25-2007
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

INVOLVED SUSPECT:

King, Melissa Kalahikiola FW/20 Booking #3415391
DOB: 07-27-92
[redacted]
Booking Charges: 243(b) (2) P.C.; 272 P.C.
CII #[redacted]

Criminal History: Suspect King's criminal history [redacted]

NON DEPARTMENT WITNESS STATEMENTS:

Doctor Ramin Raven was interviewed on June 5, 2013 at approximately 1208 hours. The interview was conducted via the telephone and was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of Doctor Raven's interview.

Doctor Raven stated December 3, 2012 he was an emergency room physician at Los Robles Hospital. Doctor Raven stated he treated Suspect King for injuries to her chin and for removal of "Taser" barbs that were embedded in her body. Doctor Raven stated that Suspect King fractured her jaw after she was "tasered" and fell striking her face on the asphalt. Doctor Raven stated the fall more than likely caused the fracture to Suspect King's jaw. Doctor Raven did not treat Suspect King for any other injuries or blunt force trauma, but specifically remembered treating her for the removal of the "Taser" barbs. He stated one was lodged in her abdomen and the other in the bone of her wrist. Doctor Raven stated a plastic surgeon had to remove the barb embedded in her wrist. Doctor Raven stated Suspect King was agitated and visibly upset when she first arrived but calmed later during her treatment. Doctor Raven described Suspect King's build as slim and estimated her weight at between 120 to 130 pounds.

[redacted] is a male White who resides at [redacted] and can be contacted at [redacted] [redacted] was interviewed June 13, 2013 at approximately 1137 hours. The interview was conducted via the telephone and was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of [redacted] interview.

[redacted] stated he was arrested on December 31, 2012 during a traffic stop at approximately 0220 hours. He stated the traffic stop and arrest was conducted by a single deputy sheriff. [redacted] stated after he was arrested he was placed in the back of a patrol car that was equipped with a security screen divider. He described the security screen divider as a mesh cage.

[redacted] stated the patrol car was positioned behind his vehicle and was slightly off set. He stated his vehicle was stopped directly underneath a street light, but the surrounding area was dark. [redacted] also stated there were no other persons present when the incident occurred. He stated the angled position of the patrol car allowed him to see Suspect King's arrest.

[redacted] stated after he was placed in the back of the patrol car, a deputy sheriff turned the volume of the music inside the patrol car up. This prevented [redacted] from hearing anything outside of the patrol car. He said the deputy re-approached his vehicle on the driver's side looking for evidence. [redacted] said he saw Suspect King exit the vehicle and run about three steps and then the deputy sheriff used a "Taser" against her.

I.A.B. NOTE: During the interview [redacted] used the term "clocked" when he described a deputy using a "Taser" against suspect King. Sergeant Ingreso believed the term "clocked" was used to describe Deputy Stafford deploying and using the "Taser" against Suspect King.

[redacted] stated he saw the deputy sheriff tackle Suspect King using his full body weight and push her face into the ground. [redacted] stated he provided a video recorded statement to deputies while seated in the back seat of the patrol car. [redacted] stated at the time of the arrest he and Suspect King were only friends. [redacted] stated he has not spoken to Suspect King since their arrest. [redacted] said the night of his arrest he was not under the influence of either narcotics or alcohol.

I.A.B. NOTE: [redacted] stated he was not under the influence of either narcotics or alcohol at the time of his arrest. At the time of his arrest, [redacted] was in possession of a glass pipe used to ingest methamphetamine and a plastic bag containing methamphetamine. There was also an opened bottle of beer in the center console of the vehicle he was driving.

INVOLVED EMPLOYEE STATEMENTS:

Deputy James Stafford was interviewed on June 3, 2013, at 1007 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy Stafford has been assigned to the Lost Hills Sheriff Station since December 2011 as a deputy sheriff. Deputy Stafford was advised of his right to representation prior to the interview. Deputy Stafford was represented by Attorney Erika Gurrola from the law firm of Green & Shinee.

Deputy Stafford stated on December 31, 2012, he was assigned to the Lost Hills Station as patrol unit #226 during the Early Morning shift. He was working alone and was not assigned a partner. He began his shift at [redacted] hours and ended his shift at [redacted] hours. At approximately 0220 hours Deputy Stafford observed a black Range Rover traveling on Kanan Road nearing Thousand Oaks Boulevard. Deputy Stafford stated the vehicle had expired registration and driver's side taillight was not operable. Deputy Stafford stated the red lens cover was not on the tail light and it emitted a bright white light. Deputy Stafford stopped the vehicle and contacted the driver, [redacted] and the only passenger, Suspect King.

Deputy Stafford smelled the odor of marijuana emitting from the vehicle and he observed a half empty beer bottle in the center console. Deputy Stafford said the occupants of the vehicle were very nervous. Deputy Stafford detained the driver, [redacted] for a narcotics investigation. During the investigation, Deputy Stafford recovered a switch blade knife, a methamphetamine pipe and a small bag containing methamphetamine from [redacted] person. Deputy Stafford handcuffed [redacted] and placed him in the back seat of the patrol car.

Deputy Stafford stated as [redacted] was being arrested, Suspect King remained seated in the front passenger seat of the Range Rover. After placing [redacted] in the back seat, Deputy Stafford requested the aid of a female deputy so he could continue his investigation. Deputy Stafford re-approached the Range Rover on the driver's side and began speaking with Suspect King. Deputy Stafford stated Suspect King was extremely nervous. Deputy Stafford stated she had her purse on her lap and reached for passenger door with her right hand. Deputy Stafford tried to calm Suspect King and told her at least three times to remain inside the vehicle.

Suspect King began opening the door as Deputy Stafford ordered her to remain in the vehicle. As he issued orders to Suspect King, Deputy Stafford ran around the front of the vehicle and initially believed Suspect King was going to flee. When Deputy Stafford reached the passenger side of the vehicle, Suspect King ran towards him instead of fleeing. Believing she may be right handed, Deputy Stafford tried to control her right hand. Deputy Stafford stated he could not control Suspect King's hands. He stated Suspect King was incredibly strong and fast while flailing her arms. Deputy Stafford also stated he was issuing commands to Suspect King, ordering her to stop fighting and show him her hands. Deputy Stafford stated he believed he could control her hands, detaining Suspect King until back up arrived. Deputy Stafford stated Suspect King struck him on the face and chest as he attempted to restrain her.

IAB NOTE: Deputy Stafford physically demonstrated how Suspect King struck him. Deputy Stafford raised his hands above his shoulders near his face and chest. During this demonstration he had his hands closed in a fist and other times open.

Deputy Stafford attempted to place Suspect King into a rear wrist lock, but could not control her. At this moment Deputy Stafford used his handheld radio to broadcast he

was now involved in a fight. Deputy Stafford believed Suspect King recognized he was requesting assistance and intensified her strikes. Deputy Stafford stated he contemplated punching Suspect King, but did not want to hurt her.

IAB NOTE: During the interview Deputy Stafford described Suspect King as a "girl." He used this description of Suspect King while describing the moments he considered punching her. His decision not to use personal weapons against her may have been influenced by Suspect King's sex, age and build. He also stated he did not want to "hurt" her and this also may have affected his decision not to use personal weapons to stop her assault.

Deputy Stafford believed Suspect King was under the influence of methamphetamine. Deputy Stafford stated he based his belief partly upon [redacted] being in possession of methamphetamine and a pipe used to ingest methamphetamine. Deputy Stafford stated he also considered the use of oleoresin capsicum spray but did not believe it would be effective against Suspect King whom he believed she was under the influence of methamphetamine. Deputy Stafford stated he also chose not to use oleoresin capsicum spray fearing he may also be contaminated and affected by its use. Deputy Stafford based this belief upon his personal prior experience with oleoresin capsicum spray.

Deputy Stafford stated he chose to utilize his department issued "Taser" against Suspect King. Deputy Stafford stated he believed the "Taser" would immediately incapacitate Suspect King and allow him to control her.

IAB NOTE: During the interview Deputy Stafford stated he believed the use of the "Taser" is an effective tool that prevents deputies from injuring suspects. Deputy Stafford stated he thought the use of the "Taser" during this incident would produce the same results. Deputy Stafford stated he received department "taser" training in the Academy, patrol school, during his assignment to court Services and impromptu training during briefings.

Deputy Stafford again ordered Suspect King to stop fighting several times. Suspect King ignored his orders and Deputy Stafford deployed the "Taser" and struck Suspect King near the shoulder and a hand. Deputy Stafford stated Suspect King's arms reached straight up, she lurched forward and fell onto the asphalt. Deputy Stafford stated he tried to break Suspect King's fall by grabbing onto one of her hands but she slipped from his grasp, falling face forward onto the asphalt.

Deputy Stafford stated at this point in the incident he was fatigued and winded. He stated he took a moment to catch his breath and then moved to straddle Suspect King who was now lying face down on the asphalt. Suspect King had her hands underneath her body and began pushing herself up. Deputy Stafford stated Suspect King tried to "buck" him off of her. Deputy Stafford ordered Suspect King to stop fighting and give him her hands. He also warned her if she continued fighting he would "taser" her again. Deputy Stafford believed he was now in a superior tactical position and did not want to lose this advantage. He believed if he lost this advantage he would not be able to control

Suspect King. He again ordered Suspect King to stop fighting and then re-deployed his "Taser." Deputy Stafford recognized the "Taser" was not cycling properly. He re-applied his "Taser" a third time and it functioned properly. Deputy Stafford stated the felt Suspect King's body tense up allowing him to grab her hands. Deputy Stafford stated Suspect King continued to thrash her body around. Deputy Stafford stated Deputies [redacted] and [redacted] arrived and handcuffed Suspect King. Deputy Stafford stated he immediately requested paramedics to provide aid to Suspect King. Deputy Stafford stated at the end of the incident, his hands were sweating and shaking and he was fatigued.

Deputy Stafford stated he observed blood near Suspect King's ears. Deputy Stafford stated he expected Suspect King's injuries to be worse. Deputy Stafford stated during the struggle, he was forced to focus his attention on Suspect King, and was not able to monitor [redacted] who was still seated in the back seat of his patrol car.

After the incident Deputy Stafford stated he recovered a fraudulent identification card from Suspect King. After paramedics treated Suspect King, he was approached a Los Angeles County Fire Department paramedic who said Suspect King wanted to speak with him. Deputy Stafford approached Suspect King who stated, "I'm so sorry, sir." Suspect King told Deputy Stafford she was sorry for causing the incident and hoped she did not hurt him. Suspect King stated she did not want to be associated with [redacted] and claimed she did not know him. Suspect King again apologized and declared she was sorry if she hurt Deputy Stafford. Deputy Stafford believed [redacted] was Suspect King's [redacted] Deputy Stafford described Suspect King as extremely remorseful during his conversation with her. Deputy Stafford stated he did not sustain any injuries during this arrest.

Deputy Stafford documented his observations and actions during this incident on an incident report submitted under URN #912-07640-2221-151, **see Exhibit A**.

Deputy James Stafford was interviewed a second time on June 24, 2013, at 1000 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview. Deputy Stafford was represented by Attorney Erika Gurrola from the law firm of Green & Shinee.

The purpose of the interview was to clarify what happened when Suspect King fell onto the asphalt. Deputy Stafford stated after he deployed his "Taser" he saw Suspect King fall forward but did not see her face strike the asphalt. Deputy Stafford also stated could not stop Suspect King from falling onto the asphalt. He stated he attempted to grab her hand, but she fell from his grasp. Deputy Stafford stated he did not see Suspect King break her fall in any way as she fell. Deputy Stafford said he could not think of anything that could have prevented Suspect King from striking her face on the asphalt. Deputy Stafford stated he did not throw or tackle Suspect King to the ground at any time during

the arrest. Deputy Stafford stated after Suspect King fell to the asphalt, he took a moment to catch his breath and recognized he had the opportunity to handcuff her. He straddled her by placing his legs around of Suspect King's body and attempted to gain control of her arms. Deputy Stafford stated after the "Taser" cycle was over Suspect King attempted to push herself up from the asphalt and thrashed her body about. Deputy Stafford stated he did not force Suspect King's face or head into the asphalt and at no time did he strike or punch her. Deputy Stafford said he did not witness any other deputies force Suspect King's head or face into the asphalt at any time during the incident.

Deputy James Stafford was interviewed a third time on July 15, 2013 at 1408 hours. The interview was conducted telephonically via conference call. The conference call was audio recorded and all participants in the interview were aware the interview was being digitally recorded. Deputy Stafford and Attorney Erika Gurrola voluntarily participated in the interview. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview

The purpose of the interview was to clarify the number of times Deputy Stafford activated his "taser" during this use of force.

IAB NOTE: The printed usage report for the "taser" Deputy Stafford used during this use of force was generated on January 10, 2013 by Deputy David Bennett. The report indicates on December 31, 2012 this "taser" was activated a total of four times. The following is a list of the activations:

1st Activation - 23:09:49 (5) second duration
2nd Activation - 23:09:58 (5) second duration
3rd Activation - 23:10:06 (5) second duration
4th Activation - 23:10:24 (5) second duration

The activations took place within a 35 second time span, each lasting five (5) seconds in duration. The times listed on the activations do not coincide with the time of Deputy Stafford's arrest and use of force. On July 16, 2013 Sergeant Ingreso spoke with Deputy David L. Bennett, the [redacted] assigned to the Lost Hills Station. He is also the deputy who generated the usage report for the "taser" used in the arrest of Suspect King. Deputy Bennett told Sergeant Ingreso it is not uncommon for the time listed on the printed usage report to be inaccurate. He attributed this to the "taser" not being properly calibrated which is common for "Tasers" that are fielded daily.

Deputy Stafford stated during the arrest of Suspect King he used his "Taser" against her. Deputy Stafford activated his "taser" a total of three times during the incident. Deputy Stafford stated the second time he activated the "taser" it did not cycle properly.

He stated when he pulled the trigger a second time nothing happened. Deputy Stafford explained he pulled the trigger a third time and it finally functioned properly.

Deputy Stafford also stated he activated the "taser" prior to going in service on December 31, 2012. He stated it is common practice to ensure the "taser" if functioning properly.

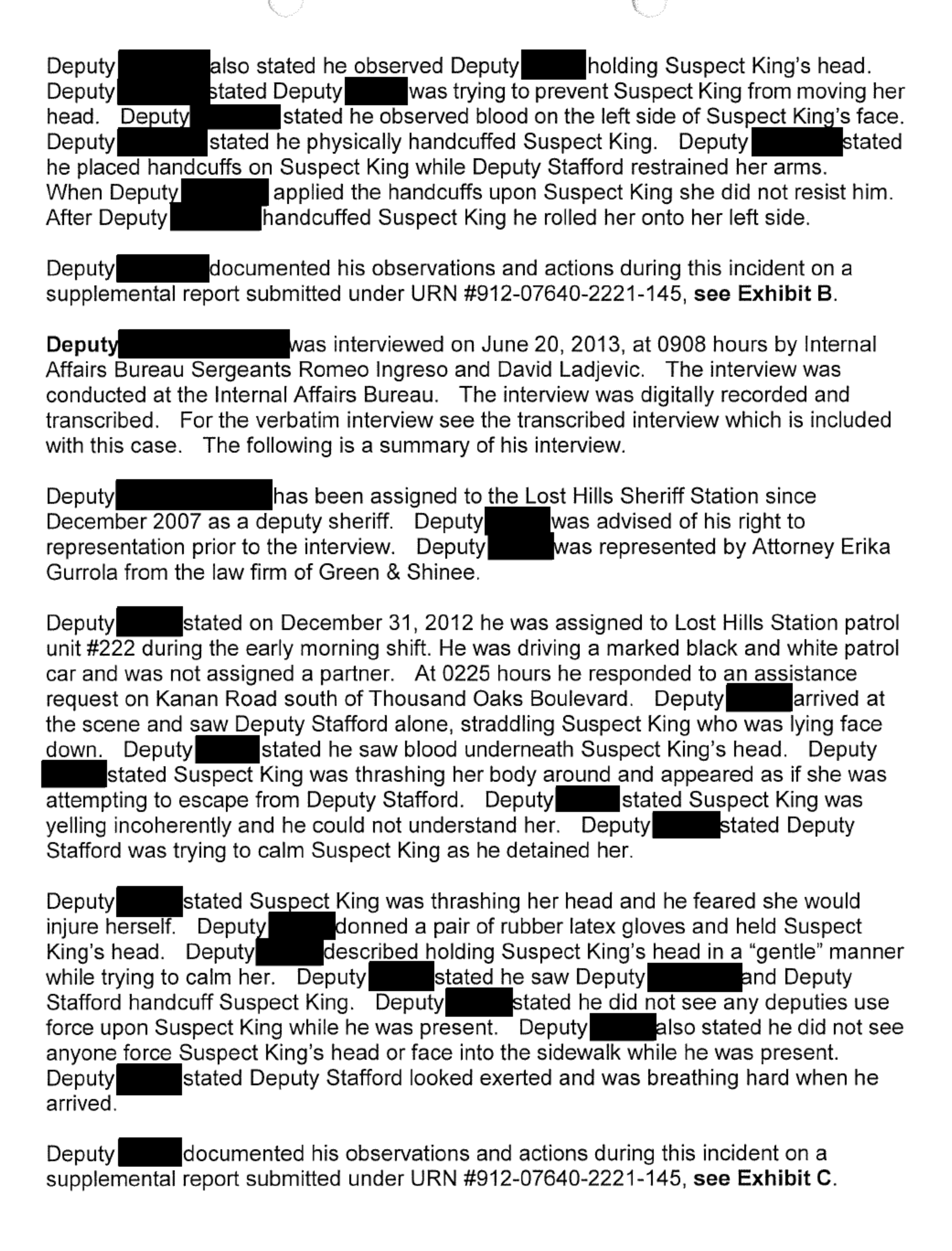
IAB NOTE: On July 16, 2013 Sergeant Romeo Ingreso contacted the company Taser International, the manufacturer of the "Taser" used in the arrest of Suspect King. [redacted] the lead expert on downloads and investigations for Taser International emailed Sergeant Ingreso and explained the activation process for this "taser." In his email, [redacted] explained if the "taser" is not active, but armed and the trigger is pulled, the activation would be logged. He also stated even if the "taser" fails and the high voltage circuit does not activate, the trigger pull would be logged. To clarify his email [redacted] described "armed" as the safety disengaged and the device able to activate with a pull of the trigger. This type of failure may account for the extra activation documented on the printed usage report for Deputy Stafford's "taser." The emails from [redacted] were submitted with this case book, **see Exhibit J**.

Deputy Stafford stated he attributed the fourth activation listed on the usage report to his "taser" malfunctioning. Deputy Stafford clarified he activated the trigger a total of three times, twice it functioned properly and once it did not. Deputy Stafford stated he did not intentionally activate and apply his "taser" a fourth time during the arrest of Suspect King.

Deputy [redacted] was interviewed on June 20, 2013, at 0923 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy [redacted] has been assigned to the Lost Hills Sheriff Station for the past two and one half years as a deputy sheriff. Deputy [redacted] was advised of his right to representation prior to the interview. Deputy [redacted] was represented by Attorney Erika Gurrola from the law firm of Green & Shinee.

On December 31, 2012 Deputy [redacted] was assigned to the Lost Hills Station as patrol unit 226A assigned to the early morning shift. He was working alone in a marked black and white patrol car in the city of Agoura Hills. At 0225 hours Deputy [redacted] responded to a deputy involved in a fight assistance request near the intersection of Kanan Road and Thousand Oaks Boulevard. Deputy [redacted] arrived and observed Deputy Stafford straddling Suspect King while holding her arms behind her back. Deputy [redacted] stated Suspect King was moving around and kicking her legs. Deputy [redacted] stated he heard Deputy Stafford ordering Suspect King to stop resisting. Deputy [redacted] stated Suspect King was shouting leave me alone as Deputy Stafford straddled her.



Deputy [redacted] also stated he observed Deputy [redacted] holding Suspect King's head. Deputy [redacted] stated Deputy [redacted] was trying to prevent Suspect King from moving her head. Deputy [redacted] stated he observed blood on the left side of Suspect King's face. Deputy [redacted] stated he physically handcuffed Suspect King. Deputy [redacted] stated he placed handcuffs on Suspect King while Deputy Stafford restrained her arms. When Deputy [redacted] applied the handcuffs upon Suspect King she did not resist him. After Deputy [redacted] handcuffed Suspect King he rolled her onto her left side.

Deputy [redacted] documented his observations and actions during this incident on a supplemental report submitted under URN #912-07640-2221-145, **see Exhibit B**.

Deputy [redacted] was interviewed on June 20, 2013, at 0908 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy [redacted] has been assigned to the Lost Hills Sheriff Station since December 2007 as a deputy sheriff. Deputy [redacted] was advised of his right to representation prior to the interview. Deputy [redacted] was represented by Attorney Erika Gurrola from the law firm of Green & Shinee.

Deputy [redacted] stated on December 31, 2012 he was assigned to Lost Hills Station patrol unit #222 during the early morning shift. He was driving a marked black and white patrol car and was not assigned a partner. At 0225 hours he responded to an assistance request on Kanan Road south of Thousand Oaks Boulevard. Deputy [redacted] arrived at the scene and saw Deputy Stafford alone, straddling Suspect King who was lying face down. Deputy [redacted] stated he saw blood underneath Suspect King's head. Deputy [redacted] stated Suspect King was thrashing her body around and appeared as if she was attempting to escape from Deputy Stafford. Deputy [redacted] stated Suspect King was yelling incoherently and he could not understand her. Deputy [redacted] stated Deputy Stafford was trying to calm Suspect King as he detained her.

Deputy [redacted] stated Suspect King was thrashing her head and he feared she would injure herself. Deputy [redacted] donned a pair of rubber latex gloves and held Suspect King's head. Deputy [redacted] described holding Suspect King's head in a "gentle" manner while trying to calm her. Deputy [redacted] stated he saw Deputy [redacted] and Deputy Stafford handcuff Suspect King. Deputy [redacted] stated he did not see any deputies use force upon Suspect King while he was present. Deputy [redacted] also stated he did not see anyone force Suspect King's head or face into the sidewalk while he was present. Deputy [redacted] stated Deputy Stafford looked exerted and was breathing hard when he arrived.

Deputy [redacted] documented his observations and actions during this incident on a supplemental report submitted under URN #912-07640-2221-145, **see Exhibit C**.

EMPLOYEE WITNESSES STATEMENTS:

Deputy Rodolfo Torrontegui was interviewed on June 3, 2013, at 0955 hours by Internal Affairs Bureau Sergeants Romeo Ingreso and David Ladjevic. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of his interview.

Deputy Torrontegui has been assigned to the Lost Hills Sheriff Station since December 2007 as a deputy sheriff. Deputy Torrontegui was advised of his right to representation prior to the interview. Deputy Stafford was represented by Attorney Erika Gurrola from the law firm of Green & Shinee.

Deputy Torrontegui stated on December 31, 2012 he was assigned to Lost Hills Station patrol unit #222A during the early morning shift. He was driving a marked black and white patrol car and was not assigned a partner. At 0225 hours he responded to an assistance request south of Thousand Oaks Boulevard. Deputy Torrontegui stated a deputy was involved in a fight at the location. Deputy Torrontegui arrived and saw Deputy Stafford straddling the back of a female holding her arms behind her back. The female suspect was lying on her stomach. Deputy Torrontegui stated the female was moving her head trying to break free from Deputy Stafford's grip. Deputy Torrontegui stated he believed Suspect King was attempting to escape from Deputy Stafford based upon the way she was moving around on the ground. Deputy Torrontegui stated Deputy Stafford was out of breath and appeared winded.

Deputy Torrontegui stated Deputy [redacted] was holding the suspect's head trying to prevent her from injuring herself. Deputy Torrontegui also stated he saw Deputy [redacted] handcuff the suspect as Deputy Stafford straddled her. Deputy Torrontegui stated he did not witness any deputies use force upon Suspect king while he was present. Deputy Torrontegui stated just after arriving he began broadcasting radio transmissions, possibly advising responding units no further assistance was needed. Deputy Torrontegui stated he did not use force against Suspect King at any time during this incident.

Deputy Torrontegui documented his observations and actions during this incident on a supplemental report submitted under URN #912-07640-2221-145, **see Exhibit D**.

SUSPECT STATEMENTS:

Suspect King was interviewed by Lost Hills Station Sergeant Edward McDonald on December 31, 2012 at 0425 hours. The interview took place in the emergency room of Los Robles Hospital and was video recorded, see **Exhibit E.** The audio portion of this interview was transcribed. For the verbatim interview see the transcribed interview which is included with this case. The following is a summary of Suspect King's interview.

Suspect King stated she and [redacted] were pulled over on Kanan Road. She stated [redacted] was a former high school [redacted] and on that evening was her designated driver. Suspect King told Sergeant McDonald the vehicle belonged to [redacted] Suspect King stated during the traffic stop, [redacted] was arrested and placed in the back of a patrol car. She stated she was scared, panicked and ran from the vehicle even after the deputy asked her to remain in the car. Suspect King stated she ran because she did not want to be framed for any narcotics in the car. Suspect King also told Sergeant McDonald she was not familiar with how the "system" works.

During the interview Suspect King stated she apologized to the deputy for her actions. She also stated she did not run away from the deputy because of his presence personally, but instead she ran in an effort to avoid being associated with the driver or any narcotics in the car. Suspect King admitted she should not have ran from the vehicle during the traffic stop. Suspect King stated she has never been involved in an altercation with a police officer before. Suspect King told Sergeant McDonald she was angry at herself and she felt bad for being involved in the incident.

IAB NOTE: During the interview with Sergeant McDonald Suspect King was visibly upset and appeared remorseful, specifically when describing fleeing from the vehicle. She began crying eventually apologizing to Sergeant McDonald for her actions.

During the interview Suspect King told Sergeant McDonald [redacted] was in possession of a pipe used to ingest methamphetamine and admitted to the presence of narcotics inside the vehicle. Suspect King stated she had consumed one beer earlier in the evening. She also stated she ingested prescription "Vicodin" two days prior to her arrest. Suspect King told Sergeant McDonald she had not been under the care of a psychiatrist or psychologist before.

During the interview Suspect King had an abrasion on the bottom of her chin. She moved her arms, head and neck without any visible impairment. She spoke clearly and complained of pain to her chin. During the interview Suspect King stated she thinks the deputy may have pinned her face to the floor.

IAB NOTE: Suspect King was referring to Deputy James Stafford when describing a deputy who may have pinned her face against the floor. Deputy Stafford was the sole deputy who conducted the traffic stop and administered a "Taser" against Suspect King.

Suspect King stated she remembered lying in a pool of blood and said she was spitting blood from her mouth.

IAB NOTE: Sergeant McDonald referenced interviewing [redacted] during his interview with Suspect King. The interview Sergeant McDonald conducted with [redacted] could not be located.

On June 23, 2013 Sergeant Romeo Ingreso spoke with Sergeant McDonald and asked him if he could locate the interview he conducted with [redacted] On June 25, 2013 Sergeant Nagelman, assigned to the Lost Hills Station as the Operations Sergeant and Sergeant McDonald attempted to locate the interview. Both Sergeant McDonald and Sergeant Nagelman could not locate the interview.

SUSPECT INJURIES:

Suspect King sustained a fracture to her mandible (jaw). She also sustained wounds caused from "Taser" probes in her abdomen and left wrist. On December 31, 2012 Sergeant McDonald photographed suspect King's injuries, **See Exhibit E**. Printed copies of these photographs were submitted with this case book, **See Exhibit F**. Suspect King was treated in the emergency room of Los Robles Hospital by Doctor Ramin Raven. She was released from the hospital and booked at the Lost Hills Station. The approval for booking and all related hospital documents are included with this case under **Miscellaneous Documents.**

IAB NOTE: On August 14, 2013 Sergeant Romeo Ingreso called [redacted] to schedule an interview with Suspect King. The purpose of the interview with Suspect King was to clarify how she sustained the injuries to her chin and jaw. Sergeant Ingreso spoke with [redacted] who identified herself as Suspect King's [redacted] [redacted] told Sergeant Ingreso Suspect King was asleep and was not able to speak at the time of the phone call. Sergeant Ingreso explained the nature of the call and left a call back number for Suspect King to return his call.

On August 15, 2013 at 1433 hours, Sergeant Ingreso left a message for Suspect King to return his phone call.

On August 16, 2013 at 0945 hours, Sergeant Ingreso left a message for Suspect King to return his phone call.

On August 16, 2013 at 1435 hours, Sergeant Ingreso left a message for Suspect King to return his phone call.

On August 16, 2013 at 1700 hours, Sergeant Ingreso received a phone call from Suspect King. Sergeant Ingreso explained his purpose for trying to contact her and explained his reason for attempting to interview her. Suspect King told Sergeant Ingreso she wanted to consult her family attorney before she participated in an interview. Suspect King told Sergeant Ingreso she would contact him via telephone if she chose to participate in the interview. Sergeant Ingreso provided Suspect King his work cellular phone and office phone numbers. As of September 3, 2013 Suspect King had not contacted Sergeant Ingreso in any way.

DEPUTY PERSONNEL INJURIES:

No deputies were injured during this arrest.

PHYSICAL EVIDENCE:

No physical evidence was collected at the scene. On May 15, 2013 Sergeant Ingreso and Sergeant Ladjevic attempted to locate surveillance cameras from nearby businesses that may have recorded the incident. Sergeant Ingreso spoke with [redacted] who is an employee at the [redacted] located at [redacted] in the city of Agoura Hills. This [redacted] is located directly across the street [redacted] from where this incident occurred. Mr. [redacted] told Sergeant Ingreso the [redacted] surveillance cameras faced east and did not capture the incident.

On May 22, 2013, Sergeant Ingreso spoke with [redacted] who is an employee of the [redacted]. He is the [redacted] and is responsible for the [redacted] closed circuit television and surveillance camera system. Mr. [redacted] told Sergeant Ingreso the [redacted] surveillance cameras located at the intersection of Kanan Road and Thousand Oaks Boulevard do not record on a 24 hour basis. He also told Sergeant Ingreso the cameras only capture specific events within the confines of the intersection and do not record in a southern direction. Mr. [redacted] told Sergeant Ingreso the arrest of Suspect King was not recorded by any surveillance cameras owned or operated by the [redacted]

No surveillance footage of the incident was retrieved from either local businesses or surveillance cameras operated by the [redacted]

INVESTIGATORS' OBSERVATIONS:

The incident occurred on a public street bordering a commercial business complex to the west and a residential neighborhood to the east. The business complex consisted of a bank, a grocery store and several restaurants. Sergeant Ingreso took digital photos of scene where the use of force occurred during daylight hours on May 15, 2013. The photos are included with this case as **Exhibit E**. Printed copies of these photographs were submitted with this case book, see **Exhibit G**.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Stafford:	Control Holds, Taser Application
Deputy [redacted]	Control Hold (Supported and held suspect's head to prevent her from injuring herself)
Deputy [redacted]	Un-resisted handcuffing

WEAPONS USED BY SUSPECT:

Personal weapons: Open hand strikes and punches with both hands to Deputy Stafford's chest and face.

PROPERTY DAMAGE:

Property damage did not occur during this incident.

PETITONS FILED AND DISPOSITIONS:

Suspect King was charged with one count of Challenging another to Fight in a Public Place, 415(1) P.C. On June 13, 2013, Suspect King pled no contest to this charge and sentenced to probation for 24 months. The charges of 148(a)(1) P.C. and 472 P.C. were dismissed.

[redacted] was charged with one count of 11377(a) H&S, one count of 21510(b) P.C. and one count of 11364 H&S. [redacted] was convicted on all counts and sentenced to three years of probation.

Detective Colitti, assigned to the Lost Hills Detective Bureau submitted a supplemental report detailing his review of Suspect King's arrest. Accompanying his supplemental report is a typed letter, given to Detective Colitti by Suspect King. Both Detective Colitti's supplemental report and the accompanying letter provided by Suspect King were submitted with this case book, **see Exhibit H.**

All booking documents and criminal histories for both Suspect King and [redacted] were submitted with this case book, **see Miscellaneous Documents**. A P.I.M.S. printout sheet for both Suspect King and [redacted] detailing their pleas in all cases was submitted with this case book, **see Exhibit I.**

WEATHER AND LIGHTING CONDITIONS:

The incident occurred during the early morning hours at approximately 0225 hours. The traffic stop occurred under a street light. During Deputy Stafford's interview he described the weather as "freezing" and "dewy."

MISCELLANEOUS:

The printed report for the Model X26 "Taser" (serial number #[redacted] used by Deputy Stafford was submitted with this case book, **see Miscellaneous Documents**.

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CASE #FO2326774
ADDENDUM

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

ADMINISTRATIVE
INVESTIGATIVE SUMMARY
ADDENDUM

DATE / TIME: December 31, 2012 / 0229 hours

LOCATION: Kanan Road south of Thousand Oaks Boulevard, Augora Hills

IAB #: FO2326774

Involved Employee: Stafford, James Employee #[redacted]
Assigned to Lost Hills Station
Working Patrol Unit #226

On December 31, 2012, the Internal Affairs Bureau assumed responsibility of a use of force investigation that occurred during the arrests of [redacted] and Melissa King. Prior to Sergeant Hector Velasquez assuming responsibility for the investigation, Lost Hills Station Sergeant Edward McDonald conducted a preliminary use of force investigation at the location of the arrest. His preliminary use of force investigation included the video recorded interviews of Melissa King and [redacted] The digital file containing the interview of [redacted] by Sergeant Edward McDonald was lost and could not be located. On December 31, 2012, at approximately 1130 hours, Internal Affairs Bureau Sergeant Hector Velasquez also interviewed both suspects at the Lost Hills Sheriff Station. His audio recorded interviews were transcribed and later summarized by Sergeant Romeo Ingreso.

EMPLOYEE WITNESSES

McDonald, Edward – Sergeant, #[redacted]
Lost Hills Station
North Patrol Division

Date of Employment: 09-29-1982
Date Assigned to LHS: 09-20-12

Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

EMPLOYEE WITNESS INTERVIEW

Sergeant Edward McDonald was interviewed on November 15, 2013, at approximately 1115 hours, by Sergeants Romeo Ingreso and David Ladjevic both of the Internal Affairs Bureau. The interview was digitally recorded and transcribed. For a verbatim account of the interview see the transcribed interview submitted with this addendum. The following is a summary of the interview prepared by Sergeant Romeo Ingreso.

On December 31, 2012, Sergeant Edward McDonald was the Early Morning field sergeant assigned to the Lost Hills Station. Sergeant McDonald was the only supervisor assigned as a field sergeant that evening. Sergeant McDonald responded to a deputy involved in a fight at Kanan Road near Thousand Oaks Boulevard. After arriving, Sergeant McDonald began conducting a preliminary use of force investigation at the location. Sergeant McDonald interviewed [redacted] as a non-employee witness to a use of force committed by Deputy James Stafford. The interview was conducted in the back seat of Deputy Stafford's patrol car after [redacted] was arrested for narcotics and weapons violations. Sergeant McDonald spoke with [redacted] while Deputy [redacted] operated the video camera, recording the conversation. Sergeant McDonald could not remember the contents of the interview and could not recall if [redacted] made any allegations of wrong doing or misconduct against any deputies. The interview was recorded on a Los Angeles County Sheriff Department issued video camera that recorded files onto a memory card.

After completing the interview, Sergeant McDonald had the interview downloaded to both a compact disc and a Los Angeles County Sheriff Department computer inside the Watch Sergeant's office at the Lost Hills Station. The compact disc was surrendered to an Internal Affairs Investigator who had arrived and assumed responsibility of the use of force investigation.

I.A.B. NOTE: Sergeant Hector Velasquez responded to the Lost Hills Station in the morning hours of December 31, 2013 and interviewed both Melissa King and [redacted] Sergeant Hector Velasquez was initially assigned this Use of Force Investigation. On March 20, 2013, the Use of Force investigation was reassigned to Sergeant Romeo Ingreso. Neither, Sergeant Velasquez or Sergeant Romeo Ingreso could locate the interview of [redacted] in any of the material that was collected at the Lost Hills Station on the morning of December 31, 2012.

Sergeant McDonald had an unknown deputy sheriff download the files from the video camera to both the compact disc and the computer. Sergeant McDonald could not recall the name of the deputy who downloaded the files for him. On June 23, 2013, Sergeant Romeo Ingreso asked Sergeant McDonald and the Operations Sergeant of the Lost Hills Station, Sergeant Daniel E. Nagelmann, to search for the file containing the interview of [redacted] conducted by Sergeant McDonald on December 31, 2012. Neither Sergeant McDonald nor Sergeant Nagelmann could locate the file containing the interview. They both searched all of the video cameras assigned to the Lost Hills Station, the files of the computer that was used to download the interview and the computer "Shared Files" of the Lost Hills Station. The memory card used in the video camera on December 31, 2012, could not be located and searched by Sergeant Nagelmann.

An interview of Melissa King and still photographs of her injuries were located in a computer file at the Lost Hills Station labeled the "Force Folder." This interview and these photographs were taken by Sergeant McDonald with the same video camera he used to video record the interview of [redacted] Sergeant McDonald stated it was possible only a portion of his field force investigation was downloaded and the interview with [redacted] may not have been. Sergeant McDonald did not know why or how the file containing his interview was lost.

Sergeant McDonald stated the video camera and computer used to download the interview with [redacted] were accessible to all the personnel at the Lost Hills Station. Sergeant McDonald stated he had not received any training on the use of the video camera or how to download its contents. Sergeant McDonald was unaware if the deputy who operated the video camera during the interview or who downloaded the file onto the compact disc and the computer had any formal training on how to use the camera or how to download its contents.

NON-EMPLOYEE WITNESSES

The following is a summary of the interview of [redacted] conducted by Sergeant Hector Velasquez on December 31, 2012, at 1127 hours. This interview was digitally recorded and transcribed. The interview was summarized by Sergeant Romeo Ingreso. For a verbatim copy of the interview see the transcript submitted with the addendum.

Sergeant Hector Velasquez interviewed [redacted] at the Lost Hills Sheriff Station in interview room #B. [redacted] stated he was arrested by deputies from the Lost Hills Sheriff Station and was placed into the backseat of a patrol car.

I.A.B. NOTE: Sergeant Velasquez did not discuss nor question [redacted] about the details or facts of his arrest.

[redacted] told Sergeant Velasquez the passenger in his car was a person named Melissa King. [redacted] said the deputy who detained him was blaring music loud inside the patrol car. [redacted] said he saw Melissa King open the car door and confront the deputy who was detaining them. [redacted] said Melissa King ran toward the deputy. [redacted] said when the two confronted one another, Melissa King momentarily appeared to be deciding which way to run. [redacted] said the deputy was within arms distance when Melissa King confronted him. [redacted] said at this point the music inside the patrol car was very loud and he could not hear what the deputy was saying to Melissa King. [redacted] said the deputy tackled Melissa King and the two became involved in what seemed like a lengthy struggle.

[redacted] stated after the deputy tackled Melissa King and they fell to the ground, he lost sight of the struggle. [redacted] said the deputy and Melissa King struggled on the ground near the front passenger side of his vehicle. Sergeant Velasquez asked [redacted] if he saw what occurred between Melissa King and the deputy as they struggled on the ground. [redacted] said he saw arms flailing and it appeared as if the deputy was beating Melissa King. [redacted] stated he never regained sight of Melissa King and only saw the deputy after he stood up over her. [redacted] added his angle of observation only allowed him a partial view of what occurred.

I.A.B. NOTE: On June 13, 2013 Sergeant Romeo Ingreso conducted a telephonic interview with [redacted] The interview was digitally recorded and transcribed. The interview was submitted with the original case book under "Non-Employee Witnesses" under I.A.B. case #FO2326774. During the interview with Sergeant Ingreso, [redacted] claimed to witness Suspect King's arrest. He stated the angle of the patrol car allowed him to observe Suspect King being tackled to the ground by Deputy Stafford. His description of the incident differs from the statements he provided to Sergeant Velasquez. While being interviewed by Sergeant Velasquez he stated the presence of his own Range Rover vehicle limited his view of the incident.

Sergeant Velasquez asked [redacted] if he saw the deputy use any type of weapon against Melissa King. [redacted] said he did not see the deputy use any weapon(s) against her. [redacted] estimated the entire incident, including the initial traffic stop, lasted approximately ten minutes. [redacted] stated after the incident he saw the involved deputy re-enacting the struggle in the presence of other deputies.

SUSPECT INTERVIEW:

The following is a summary of the interview of Melissa King conducted by Sergeant Hector Velasquez on December 31, 2012, at 1108 hours. This interview was digitally recorded and transcribed. The interview was summarized by Sergeant Romeo Ingreso. For a verbatim copy of the interview see the transcript submitted with the addendum.

I.A.B. NOTE: Sergeant Velasquez did not discuss nor question Melissa King about the details or facts of her arrest.

Sergeant Velasquez interviewed Suspect King at the Lost Hills Sheriff Station inside interview room #B. Suspect King identified herself and stated her date of birth was July 27, 1992. Suspect King stated she and a friend (identified as [redacted] were stopped by a deputy sheriff. She said her friend was arrested while she remained seated in the front passenger of his Range Rover. She saw [redacted] being searched and placed in the back seat of a patrol car. Suspect King said she knew [redacted] had methamphetamine and a "pipe" inside his vehicle. Suspect King began panicking as she tried to remember where the methamphetamine and pipe were hidden. Suspect King said she was scheduled to leave to study abroad soon and did not want to be blamed for the methamphetamine or pipe. Suspect King said the deputy re-approached the driver's side door, opened it and searched through the vehicle.

At this point Suspect King became anxious when the deputy found [redacted] wallet. Suspect King told Sergeant Velasquez she looked out of the passenger side window and saw a wall. Suspect King began contemplating running from the vehicle and jumping over the wall. Suspect King began to open the door but the deputy told her to remain in the vehicle. She placed her hands back on her lap but again began reaching for the passenger door. The deputy told her to remain seated and urged her not to open the door. Suspect King admitted making the decision to flee from the vehicle. She opened the door and ran about five steps toward the wall where she was confronted by the deputy.

Suspect King said the deputy confronted her in a face to face manner. Suspect King said she tried to run away from the deputy however he was able to grab her jacket. Suspect King said she tried to pull herself out of her jacket and bent down in an attempt to get away. Suspect King said the deputy ordered her to either "stop" or "get on the ground." Suspect King said she went to the ground as she struggled with the deputy. She stated she broke her fall by landing on both wrists.

Suspect King said she slipped out of her jacket and the deputy grabbed her once more. Suspect King cursed at the deputy and she recalled saying the words "son of a bitch." Suspect King rose from the ground and attempted to run away from the deputy towards the street. Suspect King stated she may have taken one step away from him when the deputy used a Taser against her. She said the Taser impacted her on her wrist and her side. Suspect King stated the deputy was facing her when he used the Taser against her.

I.A.B. NOTE: Photographs submitted with the original case book under I.A.B. case #FO2326774 depicted a Taser barb embedded into the lower left portion of Suspect King's torso.

Suspect King immediately fell to the ground face first, striking her chin. Suspect King said she was screaming as the deputy ordered her to get on her stomach. Suspect King describes rolling onto her back even though the deputy ordered her onto her stomach. Suspect King said when she rolled onto her back, the deputy used the Taser against her a second time and third time.

Suspect King said the deputy rolled her onto her stomach and struck her face with his elbow. Suspect King said she began bleeding from her mouth. Suspect King stated she was handcuffed and remained on the ground until paramedics treated her. Suspect King explained to Sergeant Velasquez, [redacted] was in the back seat of the patrol car during the incident. She also apologized to Sergeant Velasquez for running from the deputy, saying she only ran because she was scared and she did not want to ruin her future.

Suspect King stated she sustained abrasions on her wrist and elbows when she fell to the ground. Suspect King said her jaw was broken during the incident and she complained of pain to her eardrum.